

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**DECLARATION OF MICHAEL L. BRODY IN SUPPORT OF DEFENDANTS'
MOTION TO PRECLUDE PLAINTIFFS' USE OF CERTAIN EVIDENCE**

I, Michael L. Brody, hereby declare:

1. I am a partner with the firm of Winston & Strawn LLP, attorneys of record for Defendants Cox Communications, Inc. and CoxCom, LLC (collectively, "Cox"). I have personal knowledge of all facts stated in this declaration, and if called upon as a witness, I could and would competently testify thereto.

2. Attached hereto as **Exhibit A** is a spreadsheet containing excerpts from the spreadsheet produced by MarkMonitor as Bates No. MM000236 and the spreadsheet produced by Plaintiffs as Bates No. Plaintiffs_00286431. I created **Exhibit A** by [REDACTED]

[REDACTED]

[REDACTED]

3. I then filtered the selected rows of data to include only the [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]. I then manually confirmed that the rows from Plaintiffs_00286431 which matched to the [REDACTED]

[REDACTED]

4. I added the labels that appear in Column A and Row 1 of the spreadsheet to make it possible to trace the excerpted data back to the relevant spreadsheets and the relevant tabs of the '236 Spreadsheet.

5. I added the information that appears in Row 2 and 3 of the spreadsheet based on the evidence discussed in the briefing on this motion to make it easier to understand what data was being shown and where it came from.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 20th day of September 2019 in Chicago, Illinois.

/s/ Michael L. Brody
Michael L. Brody